

Remarks/Arguments:

The drawings have been objected to. Specifically, the Official Action alleges that the drawings do not show the claimed feature of the first, second and third beams arranged vertically. The beams shown in Fig. 1 and in Figs. 3A through 3F can either be in a horizontal or a vertical orientation. Withdrawal of the objection is respectfully requested.

The title of the invention was found to be non-descriptive. A new title has been furnished.

Claims 1-4, 10, 11, 14, 15, 17 and 23 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kong, et al. (U.S. Patent No. 6,218,911). It is respectfully submitted, however, that these claims are patentable over the art of record for the reasons set forth below.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

... first, second and third beams movable relative to each other ...

voltage applying means for ... applying a driving force to move the first, second and third beams ...

Thus, Applicants' claim 1 recites that all three beams move.

The switch in Kong comprises an electrically conductive beam and metal traces. Kong's beam is a movable electrode and the metal traces are fixed electrodes. In Fig. 2, metal traces 26 and 28 are fixed electrodes and beam 24 is the only movable electrode. Movable beam 24 is in contact with either fixed metal trace 26 or fixed metal trace 28 by the application of electrostatic force.

As Applicants' three beams are all movable, claim 1 is patentable over the art or record.

The remaining claims are patentable by virtue of their dependency on allowable claim 1.

Application No.: 10/624,381
Amendment Dated: December 16, 2004
Reply to Office Action of: September 22, 2004

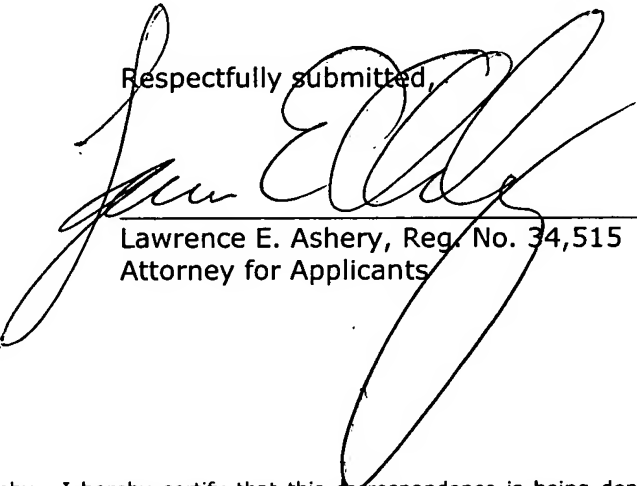
MAT-8439US

Claims 6, 13, 16 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kong et al. These claims, however, include all the features of claim 1 from which they depend. Thus, these claims are also patentable over the art or record.

Claims 5 and 9 were indicated as including allowable subject matter.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,


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LEA/fp
Dated:

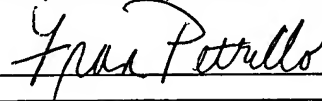
December 16, 2004

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